

91st Legislative Session – 2016

Committee: House Judiciary

Friday, February 19, 2016

P - Present
E - Excused
A - Absent

Roll Call

P DiSanto
P Gibson
P Haugaard
P Hunt
P Johns
P Killer
P Langer
P Latterell
P Peterson (Kent)
P Russell
E Westra
P Stevens, Vice-Chair
P Mickelson, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Mike Stevens, Vice-Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 17, 2016.

Moved by: Langer
Second by: Gibson
Action: Prevailed by voice vote.

HB 1128: require the court to consider the preference of certain children when awarding child custody in divorce actions.

Presented by: Representative Bolin
Proponents: Renee Chicoine, self
Opponents: Tom Barnett, State Bar of South Dakota

Greg Sattizahn, Unified Judicial System

MOTION: AMEND HB 1128

1128ja

On page 1, line 10, of the printed bill, after "intelligent preference" insert "or at least fourteen years of age".

Moved by: Mickelson
Second by: Langer
Action: Prevailed by voice vote.

MOTION: DEFER HB 1128 TO THE 41ST LEGISLATIVE DAY

Moved by: Mickelson
Second by: Langer
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: DiSanto, Gibson, Haugaard, Hunt, Johns, Killer, Langer, Peterson (Kent), Russell, Stevens, Mickelson

Excused: Latterell, Westra

HB 1134: provide for access to certain property for the purpose of making surveys.

THE CHAIR DEFERRED HB 1134 UNTIL MONDAY, FEBRUARY 22, 2016

HB 1153: reform eminent domain by consensus.

Presented by: Representative Johns
Proponents: Brett Koenecke, South Dakota Electric Utility Companies
Bret Clanton, Self, Buffalo
Jeremiah Murphy, SD Stockgrowers' Association

MOTION: AMEND HB 1153

1153ra

On the printed bill, delete everything after the enacting clause and insert:

"

Section 1. That chapter 21-35 be amended by adding a NEW SECTION to read:

The parties may by agreement refer a dispute that is the subject of a proceeding under this chapter for resolution by mediation using the services of a mediator selected by the parties."

Moved by: Mickelson
Second by: Langer
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1153 AS AMENDED

Moved by: Hunt
Second by: Gibson
Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: DiSanto, Gibson, Haugaard, Hunt, Johns, Killer, Langer, Peterson (Kent), Russell, Stevens, Mickelson

Excused: Latterell, Westra

MOTION: AMEND TITLE OF HB 1153

1153jta

On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "allow parties to agree to resolve an eminent domain dispute by mediation.".

Moved by: Hunt
Second by: Langer
Action: Prevailed by voice vote.

HB 1165: repeal the requirement for a marriage license and to provide for a marriage certificate.

MOTION: TO TABLE HB 1165

Moved by: Haugaard
Second by: Mickelson

Action: Prevailed by roll call vote. (11-0-2-0)

Voting Yes: DiSanto, Gibson, Haugaard, Hunt, Johns, Killer, Langer, Peterson (Kent), Russell, Stevens, Mickelson

Excused: Latterell, Westra

SB 79: expand the list of professionals authorized to perform certain examinations required for a plea of guilty but mentally ill.

THE CHAIR DEFERRED SB 79 UNTIL WEDNESDAY, FEBRUARY 24, 2016

MOTION: ADJOURN

Moved by: Russell

Second by: DiSanto

Action: Prevailed by voice vote.

Liz Markley
Committee Secretary

Mike Stevens, Vice-Chair